

MACo Districts 6 & 7
Spring Meeting
May 8, 2008 - 10:00 AM
Columbus Fire Hall - 944 East Pike Ave, Columbus, MT
STILLWATER COUNTY

America the Beautiful, sung by Jessica and Lindsey Mullikin
Pledge to Flag
Welcome by District 7 Chair Maureen Davey, and introductions followed

Present:

MACo Executives:

Harold Blattie, Executive Director and Sheryl Wood, Associate Director

MACo President and Officers:

Cynthia Johnson, MACo President, Pondera County Commissioner

Mike McGinley, MACo 1st VP, Beaverhead County Commissioner

Carl Seilstad, MACo 2nd VP, Fergus County Commissioner

District 6 Commissioners:

Ken Ronish, John Jensen and Carl Seilstad, Fergus County

Leslie Burroughs, Golden Valley County

Tucker Hughes, and Cody McDonald, Judith Basin County

Sue Olson, Mike Kilby and Larry Lekse, Musselshell County

Chris King, Petroleum County

District 7 Commissioners:

Chad Fenner and John Doyle, Big Horn County

David Davidson and Doug Tucker, Carbon County

Dennis Hoyem, Jerry Friend and Maureen Davey, Stillwater County

Rick Reed and Philip Hathaway, Sweet Grass County

John Ostlund, Bill Kennedy and Jim Reno, Yellowstone County

Guests:

Doug Kaercher, State Tax Appeal Board (STAB)

Vern Peterson, Joint Powers Trust (JPT)

Mike Waite, Congressman Denny Rehberg's Office

Susan Bornstad, MT Assoc of Public Safety Communication Officials

David Howard, HD 60 Candidate

Minutes recorded by:

Lori Dobitz, Administrative Assistant to the Stillwater County Board of Commissioners

Approval of Previous Minutes

1. Carl Seilstad **MOVED** to approve the minutes of May 12, 2006. Jim Reno **SECONDED**. Motion carried.
2. Jim Reno **MOVED** to approve the minutes of August 16, 2006. Phil Hathaway **SECONDED**. Motion carried.
3. Ken Ronish **MOVED** to approve the minutes of February 14, 2007. Larry Leske **SECONDED**. Motion carried.
4. Jim Reno **MOVED** to approve the minutes of June 13, 2007. Carl Seilstad **SECONDED**. Motion carried.

District 6 Vice-Chair Election

1. Sue Olson **MOVED** to appoint Leslie Burrows as the District 6 Vice-Chair. Ken Ronish **SECONDED**. Motion carried.

District 7 Chair and Vice-Chair Nominations

1. Bill Kennedy nominated Maureen Davey for District 7 Chair.
2. John Ostlund nominated Bill Kennedy for District 7 Vice-Chair.

Nominations for MACo 2nd Vice President

Ken Ronish **MOVED** to nominate John Ostlund for MACo 2nd Vice President. Bill Kennedy **SECONDED**. Motion carried.

Harold Blattie stated other districts also nominated John Ostlund for 2nd VP.

Phil Hathaway **MOVED** to close the nominations. Ken Ronish **SECONDED**. Motion carried.

MACo Preliminary FY 09 Budget

Preliminary 2009 Budget - Harold Blattie and Sheryl Wood presented the group with the FY 2009 MACo Preliminary Budget. The budget included funding requests for MACo and the (3) Trusts; Health Care Trust (HCT); Workers Compensation Trust (JPA); and Joint Powers Insurance Trust (JPT). The request totaled \$3,126,336.

Harold and Sheryl explained the budget requests, which were broken out in detail, for each Trust and MACo. Harold said *“we used zero based budgeting, there was no assumption of anything. The Budget Committee approved the 2.8% COLA across the board, and Harold has presented individual increase requests based on merit and changes in job duties”*.

Harold also said *MACo Legal Services has seen a dramatic increase of litigated claims. Review of outstanding claims; large claims; and difficult claims, have prompted a proposed legal services division in the budget this year.* He explained the stop loss coverage and said large cases have gone to the Supreme Court.

Sheryl explained MACo is in dire need of a backup server system. Cost would include maintenance, upgrades and user licenses. Protection of data is of utmost importance.

Sheryl also explained the proposed use of legislative interns for research during Legislative years only.

Harold and Sheryl also presented spreadsheets on the FY 2009 Projected Revenues, membership fees, administration fees and investment fees were reviewed and discussed.

Harold told the group *if anyone has any questions, please call MACo, as the Board of Directors have scheduled June 26, 2008, for budget approval.*

Staff Report

Sheryl said the lower level of the MACo building is now the new home to the MACo Health Care Trust and will be also to the Legal Services Division if the creation is approved by the Boards.

Harold discussed Passport Fees that the Clerk of District Court receives. He said the keeping of these fees clearly violate the code of ethics and is considered double dipping, however, an old AG Opinion issued prior to the implementation of the code of ethics states: *Passport Fees -- Retention by Clerk of Court: County Clerks of Court may personally retain the fees collected for issuance of passports. 34 A.G. Op. 41 (1972).*

Legislative Update

Chair Davey informed the group of HR 2421 - Clean Water Restoration Act. It was brought to her attention that a sister bill, S1870, a bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States, deals with the same issue. She said Congress is attempting to pass the Clean Water Restoration Act of 2007 (HR2421 and S1870) that would amend the 1972

Clean Water Act and replace the words “navigable waters” with “waters of the United States.” Maureen explained the passage of these bills would affect counties on many different levels. She explained the Section 404 permitting program, and if a project is delayed because of postponement of the Army Corp of Engineers 404 permitting approval, counties would face losing federal and state funding. She also explained these bills expand the definition of waters and gives the EPA, Army Corps of Engineers, and other federal agencies, control over all watershed activities that affect waters in local and state jurisdictions. Commissioner Seilstad **MOVED** for MACo to support NACo’s opposition to HB 2421 and SB1870. Commissioner Ronish **SECONDED**. Motion carried.

Harold Blattie stated several bills regarding gravel pits include issues concerning gravel extraction; open pit mining; permits; load limits; and dust control. Protests have come forth regarding gravel extraction on neighboring property from those living in subdivisions.

Sheryl Wood discussed several bills and statutes regarding legal advertising contracts and the Board of Printing; children and family health care issues; hospital bed tax; and the raffle statutes.

Sheryl also discussed the treatment of the mentally ill in jail facilities; mandated jail standards; mandatory suicide intervention plans; medical bill responsibility for detainees.

Harold discussed HB 49 - *an act requiring the education and local government interim committee to appoint a subcommittee to conduct a study of local government special purpose districts; specifying the membership of the subcommittee; providing an appropriation; and providing an immediate effective date.* He said a Clerk & Recorder; Treasurer and Commissioner, will be appointed to represent Local Government on this *interim study on local government Special Purpose Districts Committee.*

Harold discussed several bills regarding wild land fire suppression costs and the push to send the cost to the counties; zoning regulations to designate the wild land urban interface and establish standards for development; and revising local government fire protection laws.

Harold discussed the 2008 qualified and proposed ballot issues. He said proposed CI-99 would limit the increase in a homeowner’s residential property tax to no more than 1.5% a year. If this constitutional imitative passes, it would be effective January 2009. He also discussed proposed I-156, which would prohibit contributions by persons with certain state or local government contracts until two years after the end of the contract.

MACo President/Officer Reports and Comments

Cyndi Johnson, Pondera County, MACo President, thanked Harold and Sheryl for all they do for MACo and the Committees. She said MACo counties are well represented statewide and on the National level (NACo). She also thanked board members that serve on the interim committees. We make sure Local Government stays local!

Mike McGinley, Beaverhead County, MACo 1st Vice-President, thanked the MACo Staff. He reminded all that the Boards of Commissioners need to stay active and involved. Any who have comments, questions, or concerns, to give him a call.

Carl Seilstad, Fergus County, MACo 2nd Vice-President, concurred with Mike and Cyndi.

MT State Tax Appeal Board (STAB) - Reappraisal Update

Doug Kaercher, STAB, said the January 1, 2008, reappraisal has been extended to June 30, 2008. Due to the national and local housing trends, the Department of Revenue (DOR) will be conducting meetings throughout the state. The Ag reappraisal will be finalizing mid-May. The NRCS (soil mapping) should have maps to all producers by August. DOR will coordinate with Commissioners to place advertisements in local papers encouraging producers to review the map packages when they receive them. He asked for volunteers from counties to help draft an article for the July or August edition

of MACo News, to help inform property owners statewide to review the maps, make sure they are correct, and any changes need to be reported to the County Assessor. Carl Seilstad **MOVED** to endorse Mr. Kaercher's project. John Ostlund **SECONDED**. Motion carried.

Congressional Representative -Congressman Rehberg's Office

Mike Waite, Field Representative, Congressman Rehberg's Office, discussed the Farm Bill saying *a Presidential veto is pending possibly*. He also discussed: the ongoing drought and potential for fires; the clean water Restoration Act HR 2421 (word has it the bill is dead in the Senate); and concerns regarding PILT payments. He told the group he is available 24/7 if anyone has any questions or concerns and to please keep in contact.

MACo Resolutions

Commissioner Hoyem presented draft Resolution 2008-xx, *Statutory Appropriation of Metalliferous Mine License Tax (MMLT)*, and explained to the group that it is critical to support legislation that will provide statutory appropriation for the pass-through of all qualifying MMLT to counties of origin. Harold said MACo will present the draft resolution at the remaining district meetings in May and August for review.

Harold discussed other resolutions brought forth at other district meetings which included Bison and Wolf /Hybrid management.

Association of Public-Safety Communications Officials (APCO)

Susan Bomstad, APCO President, spoke briefly. She said APCO is lobbying to include dispatchers in the Sheriff's Retirement Plan.

Crisis Intervention Team (CIT)

Carl Seilstad, Fergus County Commissioner, said there's been brainstorming on how to get more police officers in rural counties to CIT training and meetings held in Billings. District 6 Counties are funded through the Eastern Service Area Authority (ESAA). Persons interested from District 7 are encouraged to contact ESAA.

Montana Department of Transportation

Wayne Noem, MDT Secondary Roads Engineer, presented each county with a spreadsheet representing secondary road projects selected for funding in the Billings District 5 Area. He also supplied a 2000 list of completed projects. The projects included reconstruction; overlay gravel; slide corrections; and widening.

Meeting Adjourned

Harold Blattie and Sheryl Wood thanked everyone for attending. He also thanked Maureen Davey and Stillwater County for hosting the meeting in Columbus. The meeting adjourned at approximately 3:50 P.M.

Minutes Submitted by Lori Dobitz, Administrative Assistant to the Stillwater County Commissioners